Special Milk Program Contract Manual

Version 1.3 – May 2014 Wisconsin Department of Public Instruction School Nutrition Team

Contents

New Agencies	2
Entering the Food and Nutrition Site	3
How to Navigate the System	6
The Blue Menu Bar	6
The Yellow Menu Bar	7
Entering the Special Milk Program Contract Area	8
Contract Preparer/Enterer	8
General Information	9
Part 1: General Information	10
Part 2: Agency Contacts Information	11
Part 3: Milk Plan Information	12
Policy Statement	13
Part 1: Milk Accountability Statement	13
Part 2: Money Collection and Ticket Issuing Procedures	15
Part 3: Milk Accountability Procedures	15
Part 4: Officials	16
Schedule "A" – Participating Sites	17
Certification	19
Confirmation	20
Troubleshooting	21
Appendix A – SMP Contract Agreement – All Agencies	22
Appendix B – SMP Policy Statement – For Agencies Offering Free Milk	24

New Agencies

If you do not have a six-digit agency code provided by the School Nutrition Team at DPI, and this is your first time entering a contract for School Nutrition Programs, please follow these instructions:

- 1. Contact the DPI School Nutrition Team consultants (see the last page of this manual for contact information) to obtain a *temporary* agency code and a *temporary* password.
- 2. Follow the directions in the rest of this manual. Use this temporary agency code and the temporary password to log-in.

Special notes for new agencies:

- a. For **Schedule "A"**, you will need to enter *all* schools in your School Food Authority (SFA).
- b. If you are a private SFA, or an RCCI, you will need to complete the **Federal Awards Expended** screen. You will need to know the amount of federal funding you have received under various programs. If you have nothing to report, please enter zeroes (0) to continue.
- c. If you have questions while entering your contract for the first time, please call the School Nutrition Team at 608-267-9228 and ask for your nutrition program consultant.
- 3. If you need to make changes to your contract between the time that you enter it, and the time that a consultant begins to approve it, you may continue to access the site using your temporary agency code and temporary password. Once the consultant starts working on your contract, you will not be able to make any changes until it is approved.
- 4. Once your contract is approved, you will receive a letter with a *permanent* agency code and a *permanent* password. At that point, you will **no longer** be able to use the temporary log-in information. Using your *permanent* log-in information, you will be able to access the site and view or modify your contract at any time.

Entering the Food and Nutrition Site

- 1. Go to http://fns.dpi.wi.gov/ (See Sample Screen 1, below)
 - a. There are a series of buttons in the middle of the page.
 - b. Click on the "Online Services" button, which will bring you to the Online Services page (See *Sample Screen 2* on page 4).

Sample Screen 1 – Child Nutrition Programs Homepage Q 🕸 🖺 PTAWeb 🦉 Fleet Wisconsin Direct Certificat... E LogIn to Purcha.. 🔼 WebConnect 📑 http--teamnul Wisconsin Child Nutrition Programs Welcome to the Wisconsin Department of Public Instruction Community and School Nutrition Programs Home Page. Staff members in Community and School Nutrition Teams provide nutrition information and program guidance to sponsors of the National School Lunch Program, the School Breakfast Program, Child and Adult Care Food Program, the Summer Food Service Program, the Special Milk Program, and the USDA Commodity Food Distribution Program. The Teams are also responsible for a variety of nutrition education initiatives that involve collaboration with other state agencies, UW-Extension, and regional and statewide child nutrition advocacy groups. FNS Home Hot Topics Training 2010 Child Nutrition Reauthorization Personnel Directory School Breakfast Program Online Services Social Media: Facebook, Twitter & RSS Feeds Email Us

2. After you click this button, you will be brought to the Online Services page (*Sample Screen 2*). **Please bookmark this page** for quick access to your contracts and claiming website and other DPI online services.

Sample Screen 2 – DPI Online Services



3. There are three buttons across the top of the page. The one on the left is "Online Services Log-in". Scroll over this button, and click "Contracts and Claims," the first link in the drop-down menu that appears (See Sample Screen 3, below).

Sample Screen 3 – DPI Online Services Page – Drop-down Menu



- 4. This will bring you to a log-in screen (*Sample Screen 4*, below) where you will be able to log in using your agency code and password, and access your agency's contract.
 - a. **Do not bookmark this log-in screen** if you wish to make a bookmark, please go back to Step 2 and bookmark at that point.



Welcome to Wisconsin Child Nutrition Programs On-line Services

Submit Claims for Home Sponsor, National School Lunch Program, School Breakfast Program, Summer Food Program, Child and Adult Care Food Program, Special Milk Program & Revise Programs Contracts Informations.



- 5. Enter your **agency code** This is your six-digit agency code/agreement number.
 - a. Do not use hyphens use only the numerals in the agency code.
 - b. Do not enter leading zeroes: For example, if your agency code is "012345", only enter "12345".
- 6. Type in your agency-specific **password**; this is the password assigned to you by DPI for ordering USDA Foods, claiming reimbursement, and for contract purposes. If you have forgotten this password, please see Troubleshooting on page 30.
- 7. Click the "Submit" button.
- 8. The "Reset" button will clear all data entered in fields so it may be re-entered.
- 9. **Time limit on entering data** A timer starts from the moment you enter the contract site. If no activity occurs for 30 minutes, you will receive an error message and need to return to the main "Log In" screen. Any movement on a page at all (such as going from one screen to another or moving to another entry field on the same page) will reset the 30-minute timer.

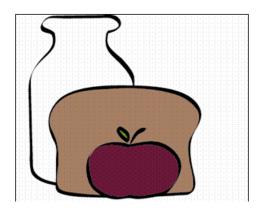
Once you are logged in, a menu of options will appear at the top of the screen.

How to Navigate the System

The Blue Menu Bar

Sample Screen 5





On this screen, you can see the following menu options:

Home Day Care: this is for Home Day Care providers only.

School Nutrition Program: This is for school agencies participating in child nutrition programs

Community Nutrition Program: This is for agencies participating in the Child and Adult Care Food Program (CACFP).

Summer Food Program: This is for sites participating in the Summer Food Service Program (SFSP).

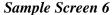
Special Milk Program: This is for agencies (school or non-school) participating in the Special Milk Program.

Other Services: This button links to the DUNS number entry page for agencies new to the DPI Child Nutrition Programs.

Log Out: This is where you can click, at any page on the website, to log out of your contract account. When you logout, you will need to re-enter your agency code and password to re-enter the FNS web site.

Click the button on the blue bar titled "Special Milk Program" (see Sample Screen 5, above).

This will change the yellow menu options. Notice that the blue "Special Milk Program" button is now highlighted white (see Sample Screen 6, next page).





The Yellow Menu Bar

On this screen (see Sample Screen 6), you can see the following menu options:

Claim Reimbursement - Use to enter Special Milk Program reimbursement claims, revise unpaid claims and review paid claims for all programs from this link. (Directions are not in this manual)

Contract - Use to access the school contract information to view, update and submit contract changes.

- 1. Click on "Contract" on the far right of the yellow menu options.
 - a. This will again change the yellow menu options. Notice that the yellow "Contract" button is now highlighted in a lighter color to show that this is the page you are viewing.



2. Click on "Submit Contract" in the yellow menu options. You may notice that the yellow menu options list out all the options you've clicked on. (See Sample Screen 7)

3. Clicking on "Submit Contract" will bring you to the first screen where you enter information for your contract.

Entering the Special Milk Program Contract Area

NOTE: When you are in the "Submit Contract" section of the site, you must continue through the entire contract and click on "Submit" at the end. **Do not** just log out or close the website – logging out or closing the website without clicking the "Submit" button at the end will leave your contract "open" so that DPI cannot access it.

Contract Preparer/Enterer

You will need to fill out this information **each time** you enter the contract to help DPI track changes made to the contract. An email address for the Contract Preparer is required (see Sample Screen 8).

Sample Screen 8 – Contract Enterer Information School Nutrition Special Milk Program Home-Day Care Community Nutrition Program Loqout Services Program Program me Contract Submit Contract Special Milk Program 2013-2014 Application Contract Enterer Information 139999 - Test Agency [Contract Preparer/Enterer Information] Please fill in all requested information. It will be used to contact the agency for any Last Name Phone Number CONTINUE

When you have finished entering the information, click the "Continue" button at the bottom of page.

Note: When entering phone number, phone extensions, or fax numbers, do not enter any symbols (such as -, () or /) or spaces in the field. Enter numerals only. If there is no fax number or no phone extension, leave the field blank.

General Information

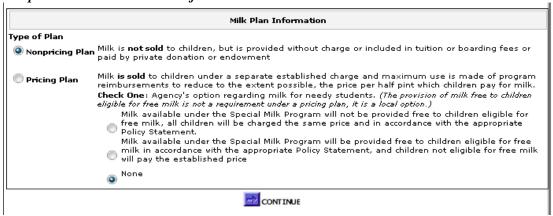
Note: All fields must be completed.

Sample Screen 8 – General Information

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		Special Milk Program 2013-2014 Applic General Information	cation
		139999 - Test Agency	
		and the second s	
To apply for part		ecial Milk Program complete the application along DPI. Collection of this information is a requireme.	
		(Do not enter dashes in phone/fax num	
		General Information	
Agency Name T	est Agency	Federal Employer Iden	tification Number 123456789
Congressional [Public 💌	District 4	CESA No. 01 County Milwaukee	Type of SFA/Sponsoring Agency
Sponsoring Age	ency Description	Child Care Institution	Nonprofit Summer Camp for Children
		Out-Side-Schools-Hours Care Center	O Homeless Feeding Site
		School Agencies	Other
Agency Street	Address	o dila i Agendes	
11 - 1	123 Main Street		
II '	Milwaukee	Zip 12345	
Mailing Address	(Enter even if it	is the same as the street address listed abo	ve)
Street/P.O. Box	123 Main Street		
City	y Milwaukee	Zip 12345	
		Agency Contacts Information	
Authorized Rep	resentative		
Title Business	Manager		
First Name	Dilly	Last Name Duck	
Phone Number	414222222	Fax Number 414333333	
Email Address	test@testagency	,.com	
Monthly Claim F	Preparer		
Title Manager/		▼	
First Name	Daffy	Last Name Duck	
Phone Number	412222222		
Email Address	test1@testagen	cy, com	

Continued on next page...

Sample Screen 8 – General Information – Continued



Part 1: General Information

See Sample Screen 8.1, next page.

- 1. Agency Name: This is the name of the agency that is contracting with DPI. If you have multiple locations (sites), this will be the name of the organization that runs all of the different sites.
- 2. Enter the Agency's Federal Employee Identification Number.
- 3. If you do not know the Congressional District information for your school, click on the link: www.legis.state.wi.us. Then click on "Who are my Legislators?" to find the district number.
- 4. If you do not know what CESA you are in, please look on the map available at http://lbstat.dpi.wi.gov/lbstat_newmap2.
- 5. Please select whether your agency is public or private.
- 6. **Sponsoring Agency Description**: Select School Agencies.
- 7. For **Agency Street Address**, enter the street address for the agency, *not* a PO Box.
- 8. Enter the **Mailing Address** to be used for DPI mailings. You must enter this, even if it is the same as the agency address. You may use a PO Box in this field.

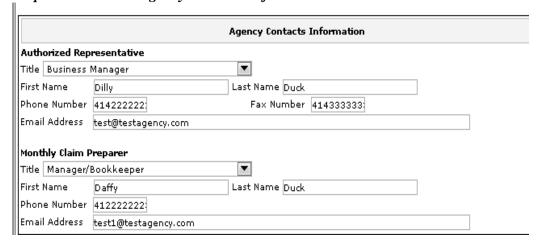
Sample Screen 8.1 – General Information

· · · · · · · · · · · · · · · · · · ·	աւ ույսուաատո		
	Special Milk Program 2013-2014 Appli General Information	cation	
139999 - Test Agency			
To apply for participation in the Special Milk Program complete the application along with school/site(s) information and submit it to DPI. Collection of this information is a requirement of the SMP. (Do not enter dashes in phone/fax numbers)			
	General Information		
Agency Name Test Agency	Federal Employer Iden	tification Number 123456789	
Congressional District 4	CESA No. 01 💌 County Milwaukee 💌	Type of SFA/Sponsoring Agency	
Public 💌			
Sponsoring Agency Description	Child Care Institution	Nonprofit Summer Camp for Children	
	Out-Side-Schools-Hours Care Center	OHomeless Feeding Site	
	School Agencies	Other	
Agency Street Address			
Street Address 123 Main Street			
City Milwaukee	Zip 12345		
	is the same as the street address listed abo	ve)	
Street/P.O. Box 123 Main Street			
City Milwaukee	Zip 12345		

Part 2: Agency Contacts Information

See Sample Screen 8.2, below.

- 1. **Authorized Representative**: The authorized representative of your agency is the person who is authorized to make this contract with DPI. This person must list an email address.
- 2. **Monthly Claim Preparer**: Please list the person who enters the monthly Special Milk Program claims for reimbursement.
- 3. Sample Screen 8.2 Agency Contacts Information



Part 3: Milk Plan Information

See Sample Screen 8.3, next page.

- 1. This section is where you will select which pricing plan your agency will use.
 - a. **Non-Pricing Plan:** Select this plan if you do not charge students for milk (either milk is provided for free, or it is included in tuition)
 - b. **Pricing Plan**: Select this option if you charge students for milk. If you select this option, you will then need to select an option regarding free milk to eligible students.
 - i. Milk available under the Special Milk Program will not be provided free to children eligible for free milk; all children will be charged the same price and the Policy Statement. Chose this option if you will **not** be providing free milk to eligible children.
 - ii. If you will be providing free milk to eligible children (which requires the collection and determination of applications), select the option Milk available under the Special Milk Program will be provided free to children eligible for free milk in accordance with the Policy Statement, and children not eligible for free milk will pay the established price.

Sample Screen 8.3 – Milk Plan Information



2. When you have entered information in all the fields, click the "**Continue**" button. If any information is missing, you will be returned to the page with a "Validation Error" – the error will list what information is missing. (*See Sample Screen 9, below*)

Sample Screen 9 - Validation Error



Policy Statement

Note: This screen has 4 sections. If you do **not** offer free milk to eligible students, **only fill out Part** 1. If you **do** offer free milk to eligible students, you will need to fill out Parts 2, 3 and 4.

Part 1: Milk Accountability Statement

If you offer free milk to eligible students, please skip this section.

In the applicable box, please describe the procedures your agency uses to count the number of milks served each day, and to maintain records of the number of milks served. This count must be taken at the point of service. If your agency only operates at one of the listed grade levels, you can leave the others blank.

If you have a non-pricing plan, or a pricing plan with no free milk option, you can scroll to the bottom of the screen and click "Continue" after you have completed Part 1.

Sample Screen 10.1 For Schools with "Non-Pricing Plan" or "Pricing Plan" with NO free milk ONLY

Special Milk Program 2012-2013 Application Policy Statement	
139999 - Test Agency	
The School Food Authority assures the State Department of Public Instruction that milk served under the Special Milk Program wil be the same for and served in the same manner to all children wishing to participate in the program in all schools in which the program is offered and that the milk shall be provided without physical segregation of or discrimination against any child because race, sex, color, national origin, age, or disability.	
Milk Accountability System For agencies who selected EITHER "Non-Pricing Plan" or "Pricing Plan" with NO free milk option (all students pay the same fee). If you offer free milk to eligible students, please skip this section.	
TO ENSURE AN ACCURATE DAILY COUNT of all milk served in the Special Milk Program, the following record keeping methods and procedures will be used to obtain the number of half-pints of milk served to students as reported on the monthly reimbursement claims. Records based on enrollment or attendance are not acceptable.	
Describe fully the procedures used to obtain a daily point of service milk count and to maintain such records at each school.	
In Elementary Schools:	_
	^
In Junior High and Middle School:	^
In Senior High School:	_

If you do NOT offer free milk, please skip to Schedule "A" on page 17

Schools offering free milk, continue to next page...

Part 2: Money Collection and Ticket Issuing Procedures

See Sample Screen 10.2, below

For each grade level, please describe how the agency protects the identity of children eligible for free milk, and the procedures for students to pay for their milk without overtly identifying students who are eligible for free milk. If your agency only operates at one of the listed grade levels, you can leave the others blank.

Sample Screen 10.2 – For schools offering free milk to eligible children

Money Collection and Ticket Issuing Procedures For agencies who selected "Pricing Plan" and offer free milk to eligible students. If you do not charge students for milk or do not offer free milk to eligible students, please skip this section	
TO PROTECT THE IDENTITY of the children receiving free milk as determined under the established eligibility guidelines, the following methods and proce-dures for collecting money from the paying children will be implemented by the school authorities in all schools participating under the School Food Authority's jurisdiction. Also noted is the method whereby students will receive their milk each school day without overtly identifying the free milk recipients. Describe fully the money collection/ticket issuing procedures that will be implemented.	n
In Elementary Schools:	
l l	4
In Junior High and Middle School:	_
la contract of the contract of	-
In Senior High School:	_
	-

Part 3: Milk Accountability Procedures

See Sample Screen 10.3, next page

For each grade level, please describe the procedures your agency uses to count the number of milks served each day, to maintain records of these counts, and for recording the number of milks served both to students paying full price and students receiving free milk. The count must be taken at point of service, and cannot overtly identify children who receive free milk.

Sample Screen 10.3 – For schools offering free milk to eligible children

Milk Accountability Procedures For agencies who selected "Pricing Plan" and offer free milk to eligible students. If you do not charge students for milk or do not offer free milk to eligible students, please skip this section
TO ENSURE AN ACCURATE DAILY COUNT of all milk actually served in the Special Milk Program, the following recordkeeping methods and procedures will be used to substantiate the number of half-pints of milk served to students paying or receiving milk free each day. (Counts obtained from ticket sales or a free milk count based on the number of approved needy applications are not acceptable methods for obtaining actual milk consumption records for reim-bursement claims.) Describe fully the procedures used to obtain and maintain an accurate daily record (point of service) of milk consumed by students pay-ing the full price and those receiving free milk.
In Elementary Schools:
In Elementary Schools:
In Junior High and Middle School:
In Senior High School:

Part 4: Officials

See Sample Screen 10.4, below

- 1. **Hearing Official** may be called upon to hear possible complaints or appeals on application determination or verification process results and possible discrimination in the operations of the program. The Hearing Official *should not* be a subordinate of the person serving as the Determining Official. The Hearing Official *may not be* the same person as the Determining Official.
- 2. **Determining Official** reviews the initial free/reduced price meals applications, determines if the students are eligible for free or reduced price meals, and notifies the household of the determination.

Sample Screen 10.4 – For schools offering free milk to eligible children

This section is required for schools that select the "Pricing Plan" option and offer free milk to eligible students. If you do not charge students for milk or do not offer free milk to eligible students, you do not need to fill out this section		
Hearing Official Name - Not involved in original determination or verification Determining Official Name - Individual(s) determining elig		
Title None	Title None	
First Name	First Name	
Last Name	Last Name	
Address		
City		
CONTINUE		

Once you have updated all of your agency's information, click the "Continue" button.

Schedule "A" - Participating Sites

- 1. You will need to enter details about each site within the agency that participates in the Special Milk Program.
- 2. When you first enter your contract, Schedule A will look like this:

Sample Screen 11 - Schedule A for new contract



3. Select "New Record" to enter your first site. If this is your first time entering your contract online, none of the data fields will be filled. If you are returning to edit your contract, the information you had previously entered will be saved.

Sample Screen 12 - Site Application

Surpression 12 Suc inprication			
Special Milk Program 2013-2014 Application Schedule (A) - Site Application			
139999 - Test Agency			
General Information: Enter numbers like Zip, Phone without hypen or dashes.			
Site Name The Main School Phone 123456789			
Street Address 123 Main Street City Milwaukee State Wisconsin 💌 Zip 12222			
Site Program Start Date 8 / 23 /2013 [MM/DD/YYYY]			
Site Program End Date 5 / 23 / 2014 [MM/DD/YYYY]			
Grades/Serving Estimate Information: (Provide information based on your type of agency. If you are school you do not provide information in column 2. and vice versa.)			
1. Grades in Building (Only Applicable to School) OR 2. Estimated No. to be Served Per Day (Only applicable to Nonschool Sponsors)			
From: Kindergarten Children Under 19 Served Per Day 0			
To: Eighth Grade ▼ Adults Served Per Day 0			
Check all USDA Program in which this site participates:			
✓ None			
National School Lunch Program			
Child and Adult Care Food Program			
Summer Food Service Program			
School Breakfast Program			
BACK SAVE XDELETE			
[General Information] [Policy Statement] [Site(s) Listing]			

- 4. **General Information:** Enter the information for this particular site of your agency. Enter the start and end dates for the program *for this site*. You will enter each site separately.
- 5. **Grades/Serving Estimate Information:** In Column 1, select the grade levels in this site location. Leave Column 2 blank.

6. Other USDA programs: Select any other programs that this site participates in.

Schools: If your agency participates in the National School Lunch Program, you will need to exit this contract, and complete your Special Milk Program contract as part of your NSLP contract.

7. Once you have finished filling in the information on this page, click the "Save" button. This will return you to Schedule A, where you will now see a list of the sites you entered:

Sample Screen 13 – Schedule A, with site list

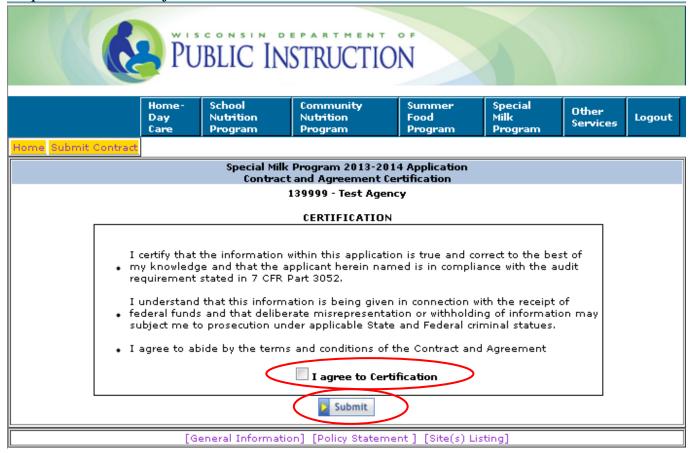


- 8. **Additional Sites**: If your agency has more than one site, you will need to repeat this process for each site.
- 9. **Deleting a Site**: If you need to delete a site (for example, if one site has closed), click on the name of the site to access it, and then click the "Delete" button at the bottom of the page.
- 10. When you have entered all of your sites, click the "Continue" button at the bottom of Schedule A. This will bring you to Certification.

Certification

At the Certification, you are asked to agree that the information in your contract is truthful and in compliance with Federal regulations.

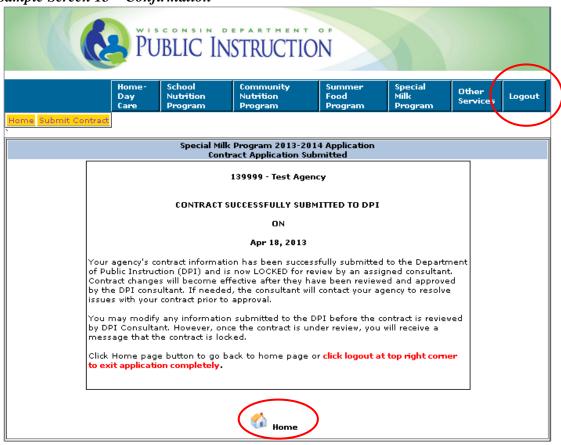
Sample Screen 14 – Certification



If you agree, you will need to check the box that says "I agree to Certification", and then you are ready to submit your contract by clicking on "Submit".

Confirmation

Once you have clicked "Submit," you will receive a Confirmation screen that will look like this: *Sample Screen 15 – Confirmation*



- 1. You may wish to print this for your records.
- 2. Click "Home" to return to the Menu for further modifications.
- 3. Click on the blue "Logout" button at the top right to exit the FNS system.
- 4. At any point (until DPI begins approving your contract), you may log in and make changes to your contract. Once your contract is approved, you may also make changes at any point. Make sure you follow the contract through until the end and submit it to DPI; otherwise changes will not be saved.

Troubleshooting

- 1. **If you forget your password:** Contact the DPI Federal Aids and Audit Section (FAAS) for assistance: Jacque Jordee at 608-267-9134 or <u>jacqueline.jordee@dpi.wi.gov</u>.
- 2. **To change your password**: Contact the DPI Federal Aids and Audit Section (FAAS) for assistance: Jacque Jordee at 608-267-9134 or jacqueline.jordee@dpi.wi.gov. Changing this password will change the password for all related child nutrition applications including claims for reimbursement, ordering USDA Foods, contract access, etc. If you change your agency's password, you will need to notify other staff in your agency who need to use those functions of the new password.
- 3. **To return to a prior page/screen,** click on one of the links at the bottom of the screen. The name of the link will tell you what screen you will go to. These links are in a horizontal row at the bottom of the screen and are a **different color** than the regular printing on the entry pages. If you click on the "Back" icon at the top of the screen, your data will *not* be saved from the screen you are currently on.
- 4. **To print your contract,** you will need to print each screen, either as you go through and enter the information, or by logging in again and going through and printing each screen. **Remember** to print the Site Application for each site.
- 5. **Exiting the program:** To exit the contract system, click the "**Logout**" button. This button is part of the blue bar at the top of the screen, on the far right.
- 6. **Prior to contacting DPI** with questions related to entering data on your contract, please be prepared to answer the following questions:
 - a. What is your agency code?
 - b. What information are you trying to enter? (Example: "School Contract")
 - c. What screen are you viewing? (Example: "1st entry screen", "Schedule A", "School specific information")
 - d. What page/s in this manual are you referring to? **Page numbers are listed at the bottom-center** of each manual page.
 - e. Be sure you have the manual with you when you call, so that you can note the answer to your question in the manual for future reference.
- 7. **Making changes to your contract:** You can access and update your contract online at any time. Remember to click the "Continue" or "Save" button at the bottom of each screen, and to submit the contract at the end of the process to make sure your updates will be sent to the School Nutrition Team for approval.

8. Contacting the School Nutrition Team:

If you have questions concerning the SMP contract or regulations, please contact the Nutrition Program Consultants listed below.

Allison Pfaff, RDN, CD, Nutrition Program Consultant Phone: 608-267-1066 E-Mail: allison.pfaff@dpi.wi.gov

Lizzie Severson RD, CD, Nutrition Program Consultant

Phone: 608-267-9233 E-Mail: elizabeth.severson@dpi.wi.gov

Department of Public Instruction School Nutrition Team 125 S. Webster Street Madison, WI 53707 608-267-9228 (phone) 608-267-0363 (fax)

Appendix A - SMP Contract Agreement - All Agencies

The following is the contract to which you are agreeing through this online application. Please note all the applicable terms and conditions.

In order to effectuate the purpose of the Special Milk Program (7CFR, Part 215), the Department of Public Instruction, hereinafter referred to as the DEPARTMENT, and the applying School Food Authority, hereinafter referred to as the SCHOOL FOOD AUTHORITY, agree as follows:

THE DEPARTMENT AGREES TO:

- 1. Reimburse the School Food Authority, to the extent of funds available, for milk served to children under terms of this contract, at the assigned rates of reimbursement during the fiscal year for which the contract is in effect.
- 2. Notify the School Food Authority in writing of any changes in assigned rates of reimbursement.

THE SCHOOL FOOD AUTHORITY AGREES TO:

- A. Operate a nonprofit milk service.
- B. Encourage the consumption of milk by making maximum use of the reimbursement payments to lower, or reduce to zero wherever possible, the price per half-pint which children pay for milk.
- C. Serve milk free of charge to needy children* as noted in the Policy Statement for Determining Eligibility herein whenever milk is offered. Serve milk each school day.
- D. Claim reimbursement only for fluid milk purchased for service to children in the schools listed on Schedule A; milk served to adults shall be excluded.
- E. Submit claims for reimbursement in accordance with procedures established by the Department.
- F. Maintain full and accurate records of its milk program, including, but not limited to, program Income and Expenditures, the total number of half-pints of milk purchased, a count taken at the point of service of the number of half-pints served to eligible needy children* and to paying children, and maintain such records for a period of three years after the fiscal year to which they pertain.
- G. Upon request, make all records pertaining to the Special Milk Program available to the Department, the U.S. Department of Agriculture and the Office of Audit for audit and administrative review, at any reasonable time and place.
- H. Provide adequate storage and proper refrigeration for all milk within a temperature range of 35 to 40 degrees F, from delivery until it is served.
- I. Establish a local "school wellness policy."
- J. Comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 20000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28 CFR 50.3 and 42; and FNS directives and guidelines, to the effect that no person shall, on the grounds of race, color, national origin, sex, age or disability, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the program applicant receives Federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this agreement. By accepting this assurance, the school food authority agrees to compile data, maintain records and submit reports, as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDA personnel during normal working hours to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, Food and Nutrition Service, shall have the right to seek judicial enforcement of this

assurance. This assurance is binding on the program applicant and its successors, transferees and assignees, as long as they receive assistance or retain possession of any assistance from the department. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the program applicant.

THE DEPARTMENT AND THE SCHOOL FOOD AUTHORITY MUTUALLY AGREE THAT:

- 1. The Schedule A listing of schools shall be part of this Application-Agreement-Policy Statement.
- 2. The terms of this agreement shall not be modified or changed in any way other than by consent in writing of both parties.
- 3. Schools may be added or deleted from Schedule A as need arises, and the references to Schedule A shall be deemed to include such schedule as supplemented and amended.
- 4. No member of or delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefits that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
- 5. For the purpose of this agreement the following terms are defined:
 - a. *Special Milk Program:* The school milk program authorized by Section 3 of the Child Nutrition Act of 1966, as amended, and implemented pursuant to 7CFR, Part 215.
 - b. *School:* An educational unit of high school grade or under operating under public or nonprofit private ownership in a single building or complex of buildings. The term "high school grade or under" includes classes of preprimary grade when they are conducted in a school having classes of primary or higher grade, or when they are recognized as a part of the educational system in the state, regardless of whether such preprimary grade classes are conducted in a school having classes of primary or higher grade.
 - c. *Student with a Disability:* Any child who has a mental or physical impairment as defined in S 15b.3 of USDA nondiscrimination regulations (7CFR, Part 15b).
 - d. *Cost of Milk:* The net purchase price paid by the School Food Authority to the milk supplier for milk delivered to the schools. This does not include any amount paid to the milk supplier for serving, rental or installment purchase of milk service equipment.
 - e. *Nonprofit Milk Service:* Milk service maintained by or on behalf of the School Food Authority for the benefit of the children, all of the income from which is used solely for the operation or improvement of such milk services.
 - f. *Service Costs:* Direct expenses incurred by the School Food Authority in connection with the safe handling and service of milk. This may include straws, napkins and expenses incident to the acquisition or rental of necessary milk service equipment.
 - g. *Milk:* Pasteurized fluid types of unflavored or flavored whole milk, reduced fat milk, low-fat milk, skim milk, or cultured buttermilk which meets state and local standards for milk
 - h. *School Food Authority:* The governing body responsible for the administration of one or more schools and which has the legal authority to operate a nonprofit milk service.
 - i. *Point of Service:* That point in the food service operation where a determination can accurately be made that a reimbursable free or paid half-pint of milk has been served to an eligible child.
 - j. *Needy Children:* Children who attend schools participating in the Program and who meet the eligibility criteria for free milk approved by the Department
- 6. The Department may renew the agreement for each school year thereafter, by notice in writing given to the School Food Authority as soon as practicable after funds have been appropriated by Congress for carrying out the purposes of the Child Nutrition Act of 1966 during each such fiscal year. In any event, however, this agreement may be terminated upon 10 days' written notice on the part of either party, and the Department may terminate this agreement immediately after receipt of evidence that the terms and conditions of this agreement have not been fully complied

with by the School Food Authority except that any termination of this agreement for noncompliance with Title VI of the Civil Rights Act of 1964 shall be in accordance with applicable laws and regulations.

*Applicable only when School Food Authority elects to provide milk free to eligible needy children by checking 3b of Part III, Application

Appendix B - SMP Policy Statement - For Agencies Offering Free Milk

POLICY STATEMENT: For agencies which have a pricing plan and offer free milk to eligible children.

The School Food Authority accepts responsibility for providing free milk to eligible children in the schools noted on Schedule A. It assures the Department that the policy will be uniformly applied and implemented in all participating schools under its jurisdiction.

In fulfilling these responsibilities the SCHOOL FOOD AUTHORITY:

- A. Agrees to serve free milk to children from households whose income is at or below the family size income scale of the Income Eligibility Guidelines for the current school year.
- B. Agrees that there will be no physical segregation of, nor any other discrimination against any child because of his/her inability to pay the full price of the milk. The names of the children eligible to receive free milk shall not be published, posted, or announced in any manner, and there shall be no overt identification of any such children by use of special tokens, tickets or any other means. Further assurance is given that children eligible for free milk shall not be required to:
 - 1. Work for their milk.
 - 2. Use a separate milk service area.
 - 3. Go through a separate serving line.
 - 4. Enter the service area through a separate entrance.
 - 5. Drink milk at a different time.
 - 6. Drink milk different from that sold to children paying the full price.
- C. Agrees that, in the operation of the milk program, no child shall be discriminated against because of race, sex, color, national origin, age, or disability.
- D. Agrees to establish and use a fair hearing procedure under which: 1) a family can appeal a decision made by the School Food Authority with respect to the family's free milk application; and 2) the School Food Authority can challenge the continued eligibility of any child for free milk. During the appeal and hearing, the child who was determined to be eligible based on the face of the application submitted will continue to receive free milk. Prior to initiating the hearing procedure, the school official, the parent(s) or guardian may request a conference to provide an opportunity for the parent(s) guardian and school official(s) to discuss the situation, present information, obtain an explanation of data submitted in the application and the decisions rendered. Such a conference shall not in any way prejudice nor diminish the right to a fair hearing.

The hearing procedure shall provide the following for both the family and the School Food Authority:

- 1. A publicly announced, simple method for making an oral or written request for a hearing.
- 2. An opportunity to be assisted or represented by an attorney or other person.

- 3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
- 4. Reasonable promptness and convenience in scheduling a hearing, and adequate notice as to its time and place.
- 5. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
- 6. An opportunity to question or refute any testimony or other evidence and to confront and cross examine only adverse witness(es).
- 7. That the hearing be conducted and the decision be made by an official who did not participate in the decision under appeal or any previous conference.
- 8. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and entered into the hearing record.
- 9. That the parties concerned and any designated representative thereof be notified in writing of the decision.
- 10. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and a copy of the notification to the parties concerned of the hearing official's decision.
- 11. That such written record must be retained for a period of three years after the close of the school year to which they pertain. These records must be made available for examination by the parties concerned or their designees at any reasonable time and place during such period.
- 12. A designated **Hearing Official** who is not involved in the original eligibility determination. (This individual will be indicated on the online contract).
- E. Agrees to designate certain individuals to review applications and make **determinations** of eligibility. (These individuals will be indicated on the online contract). Such official(s) will use the criteria outlined in this policy to determine which individual children are eligible for free milk.
- F. Agrees to develop and distribute to each child's parent(s) or guardian a letter as outlined herein. In addition, an application form for free milk shall be distributed with the parent letter at or about the beginning of each school year or whenever there is a change in eligibility criteria. The letter to parents with the free milk application form shall list the income eligibility guidelines for free milk. Interested parents or guardians are responsible for filling out the application and returning it to the school for review. Such applications and documentation of determinations will be maintained for a period of three years following the end of the school year to which they pertain. Applications may be filed at any time during the year. Parents or guardians enrolling a child in a school for the first time shall be supplied with appropriate milk application materials regardless of the time of year the child is registered. If a child transfers from one school to another under the jurisdiction of the same School Food Authority, his/her eligibility for free milk will be transferred to and honored by the receiving school.

All children from an eligible household will receive the same benefits. Parents or guardians will be promptly notified of the acceptance or denial of their application(s). Children will be served free milk immediately upon the establishment of their eligibility. Children formally placed in foster care are eligible for free meal benefits. Foster children may be certified as eligible without a household application. Households with foster children and non-foster children may choose to include the foster child as a household member, as well as any personal income available to the foster child on the same application that includes their non-foster children.

When an application is rejected, parents or guardians will be provided written notification which will include: 1) the reason for the denial of benefits, e.g., income in excess of allowable limits or in-complete application; 2) notification of the right to appeal; 3) instruction on how to appeal; and 4) a statement reminding parents that they may reapply for free milk at any time during the school year. The reasons for ineligibility shall be properly documented and retained on file at the School Food Authority level.

- G. Agrees to submit a public/press release containing the free eligibility guidelines and all other information outlined in the parent letter, to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
- H. Agrees to establish a procedure to collect money from children who pay for their milk and to account for the number of half-pints of free and full price milk served. The procedure described in the Policy Statement will be used so that no other child in the school will consciously be made aware by such procedure of the identity of the children receiving milk.
- I. Agrees to submit to the Department any alterations of public announcements, etc., before implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.
- J. The following materials on our website shall be considered part of this policy:
 - Family Income Scale for current school year
 - Letter to Households
 - Application for Free Milk
 - Notification
 - Public Release